2007 SDIRETAL 0000155617 M & . ЖЕСК Refund Total: \$1020.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

§

<u>aaaaaaaaaaa</u>

n re: Application of:

Andre Leguen; Catherine Cantenot

For

ERGONOMIC SEATING MODULE

AND SEAT FITTED WITH

SAID MODULE

Atty Dkt:

GLN-050/US

Serial No:

10/510,456

Filed:

October 4, 2004

Group Art Unit: 3636

Examiner:

Stephen A. Vu

571.272.6862

"EXPRESS MAIL" MAILING LABER

Number: EV317504385US Date of Deposit: 9-MAY-C

Pursuant to 37 C.F.R. § 1.10, I hereby certify that I am personally depositing this paper or fee with the United States Postal Service 'Express Mail Post Office to Addressee' service on the date indicated above in a sealed envelope (a) having the above-numbered Express Mail label and sufficient postage efficed, and (b) addressed to MAIL STOP PETITION. Commissioner for Patents P.O. Roy 1450. Alexandria Virninia 22313-1450.

Signature. Jugh R. Ru

Printed Name HUGH R. KR

MAIL STOP PETITION
Commissioner for Patents
Alexandria, Virginia 22313-1450

PETITION FOR EXTENSION OF TIME

Sir:

Assignee hereby petitions to extend the period for submission of a response to the September 1, 2005 Office Action issued in connection with the above-referenced application for three (3) months, up to and including March 1, 2006.

The requisite fee is \$1020.00. A payment of this amount is enclosed; however, if the check is missing or incorrect in amount, or if other fees are determined to be due in connection with the captioned application, the Assistant Commissioner. Commissioner, and/or the Director of the U.S. Patent & Trademark Office is/are authorized to credit any overpayments or charge any deficiencies to Browning Bushman Deposit Acct. No. 02-4345, referencing attorney docket number GLN-050/US.

05/11/2006 SDENBOR1 00000011 10510456

02 FC:1253

1020.00 OP

Adjustment date: 01/25/2007 SDIRETA1 05711/2006 SDENBOB1 00000011 10510456 02 FC:1253 -1020.00 OP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **COMMISSIONER FOR PATENTS**

203 BEC 20 Fil 4: 07

In re Int'l. Application of

Agent's File Ref.: GLN-50/US

Andre Leugen et al

Application No. 10/510,456

Filed: October 4, 2004

For: Ergonomic Seating Module & Seat

Fitted with Said Module

RESPONSE TO PETITION

Commissioner for Patents Office of Finance, Refund Section P.O. Box 1450 Alexandria, VA 22313-1450

In a Response to a Petition for Revival filed by the applicant on May 9, 2006 the Office of Petitions granted the Petition. Applicant hereby requests refund of the \$1020,00 extension of time fee submitted with the petition per 8 USPQ2d 1630, 1631. A copy of the decision on the petition is attached.

Respectfully submitted,

Hugh R. Kress Reg. No. 36,574

Date: 15 December 2006 **BROWNING BUSHMAN P.C.** 5718 Westheimer Rd., Suite 1800 Houston, Texas 77057 713-266-5593 (phone) 713-266-5169 (fax)



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents United States Patent and Trademark Office P. O. Box 1450 Alexandria, VA 22313-1450

EP 1 8 2005

HUGH R. KRESS 5718 WESTHEIMER, SUITE 1800 ENTERED SEP 1 8 2006 COPY MAILED HOUSTON, TX 77057

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OFFICE OF PETITIONS

In re Application of

Andre Leguen et al

Application No. 10/510,456

ON PETITION

Filed: October 4, 2004

Attorney Docket No. GLN-050/US

This is a decision on the petition under 37 CFR 1.137(b), filed May 9, 2006, to revive the aboveidentified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed September 1, 2005, which set a shortened statutory period for reply of three (3) months. No extension of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on December 2, 2005.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$1020 extension of time submitted with the petition on May 9, 2006 was subsequent to the maximum extendable period for reply, petitioner may request a refund of this fee by writing to the Office of Finance, Refund Section. A copy of this decision should accompany petitioner's request.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-321Ô.

This matter is being referred to Technology Center AU 3636 for further processing.

Irvin Dingle

Petitions Examiner

Office of Petitions